Previous references

1896-97

192

File No 57-

Serial Nos.

Later references

GENERAL AND REVENUE SECRETARIAT

Serial Nos

Part B for Circa 1897

SUBJECT

Grant of a site to Khazi Nazir Hussein Sheriff for Construction of a Hindustani Girls' School on Jail Road.

In the President, Binnybeach Municipality Order No. 2084. 8.3.97. Jud. 57-96-4 17.11.5-94

Sanction the grant of a site to Khazi Nazir Sheriff for construction of a Hindustani Girls' Sch

WD 228 GPL 20,000 11.6.20

Communicate

[illegible]

NOG 305

L 2

They cancelled the
grant & resumed the
land in 1893 on the
ground that the
grantee had not
fulfil the conditions. They now
adhere to the resolu-
tion passed in
1893 —

4-9-96

.. In a letter which
was sent to the Chief
of the Survey Department
by a person who
said that the site for
it if the school building
was erected thereon.
Please send for the Chief
Secretary why he
failed to take up the
cases mentioned by the
MP —

4/9/96

Minuted to Sligo 5/9

46 1896/97 1409

From The President
Municipal Commrs
Bangalore Cr

To The Secretary to the Govt of Mysore.
Dept.

Dated 11 August 96
Despatched
Received

General No. 32
No.

Enclosure No. 1

Submitting copy of Board Resolution regarding land required for the building of the Mahomedan Girls' School

Sanctioned Rs 3837 8/11/96

as in the original election which Board desires reconsidered. I am of opinion that the Hall clerk may be retained

11-9-96

7 Submitted with fees (Please see several etc 18 on file) 28/8/96

References to be marked.

Sub Board

The Board refuse to grant more than to the Urdu School, though it was recommended by Govt

Secy Board

The Board made a free grant in 1887 on certain conditions

3

Enclosure

Khazi Nazar Hussain Sheriff states that the site in the Jaffi Mohalla was granted him in 1887 on the following conditions:- that he should submit a plan, that the building should be erected early, and that the site should not be utilized for any other purpose. He filled up a pit that was on the site, and submitted a plan in June 1890, whereupon a license dated 26th June 1890 was given him by the Vice Pres. Mr Raghavachari to complete the building within 90 days, subject to certain alterations shown in the plan.

The Petr. could not do anything to further the erection, as the whole site was covered with the timber etc of dealers, which the municipal authorities neglected to remove till 1893; but he nevertheless built a small structure in a corner of the site to store materials, the same being now utilised for holding the School.

That was why the Petr. had to apply for a renewal of the License. This was granted on the 3rd Feb: 1893, and duly

view to build within 90 days. It
[illegible] before the lapse of this
interval that is, on the 11th April
1893, the D.C. received an order
from the Vice Pres.t forbidding
[illegible] building till further
intimation; and on the 11th July
G. the [illegible] franchise cancelled
and the site resumed. So there is
no violation of any of the conditions
on the part of the D.C.

Note. I have looked through
the original papers, which
contain the maps of the Dist.
cities of the Navy and other papers
are in the file.

[illegible]

[illegible]

[illegible]

The facts stated
in the memo. do not
appear to have been
communicated [illegible]
[illegible] — from
the attention of the
Secretary [illegible] with
reference to her letter of 4th
June [illegible] Augt —

15/9/96

Memo

As directed by the Secy on sheets 6's, the President was requested to report what progress was made in the inspection of sites and when the report called for in Front Pro sheet 8863-4 / L-F 430-92 29/1/96. might be expected, in view to ascertain whether the prohibition to build contained might not be removed. The President promised to submit the report before the middle of February 1897.

Sheets 66 in L-F 430-92.

This report has not as yet been received. Sheets of sites were returned for recollection with plan

Some reminder today 4/2/97

Submitted. 21/1/97

(X) But this report relates to para 3 of the first proposed observations and requisitions of site) & the present refers from the Secy to para 4, wherein certain sites are ordered to be reserved for a public purpose. 1/2

Subject.

In serial no 49, it was enquired whether the Board considered, among other things, that ~~the cancellation of the licence~~ a renewed licence to build within 50 yards of Ahari Nasir Hussain Sheriff on 30 Dec 1893, could be cancelled within the time fixed without any violation of conditions on his part.

The Board, in his present letter, acknowledges that there was nothing in the Ahari's own conduct to warrant the cancelling of the grant and the resumption of the site, but that it was the outcome of an intimation from the Govt Secy that the grant to the School had been withdrawn and the site should be transferred to the Govt Dept. of Telegraphs.

The Board, however, ~~[illegible]~~ that, ~~[illegible]~~ the site in question lies, like the area in which building is prohibited under the order of 29-1-96 (Pol Cons File 436), further discussion is unnecessary. [illegible]

[Vide para 4 of that order, in which certain sites were ordered to be reserved for a public purpose. Vide also serial 47 in File 115, in which the same fact has been already reported by the President.]

Dated Camp 24/7/97
25-7-97

fact stated in [illegible]

No 3837 of 19 Sept 1896 and the [illegible] admission may be [illegible] the Govt in his No 9 of 14th Jan 1897 that it is clear that the [illegible] of the licence granted on 3rd Feb 1893 was suspended if as was admitted "there was nothing in the Ahari's own conduct towards the Govt to warrant the cancelling of the grant [illegible]

If the site in question [illegible] erected thereon, as such, as in the Ahari's profession, [illegible] as in the [illegible] presented even under [illegible] required for any [illegible] purpose it can only be argued under the provisions of the Land Acquisition Act, [illegible]

[illegible]

[illegible]

[illegible]

7-7-97

MR 57-96-1

4459

OFFICE OF THE MUNICIPAL COMMISSION,
City Bangalore, 11th/12th August 1896

No. 32
Enclosure

From

The President, Municipal Commission,
Bangalore City.

To

The Secretary to the
Government of Mysore
Revenue & Genl. Depart.

SIR,

In reply to Government in Proceedings No 22585-6 dated 11th June 1895 (D.F. 115-94) regarding the resumption of the land assigned for the building of the Mohamedan Girls' School, I have the ho- -submit herewith a copy of the Board's Resolution No 2 of 28th July 96 which confirms its former Resolution.

I have the honor to be
Sir
Your most obt Servt

PRESIDENT MUNICIPAL COMMISSION
BANGALORE CITY

Encl: 1

Extract from the Proceedings of the Board dated 28th July 1896.

* * *

2. Government Proceedings No. 22585-6 / d.7.115-94. dated 11th June 95. in re the resumption of the land assigned for the building of the Muhamadan Girls' School.

Resolved that the Board adheres to and Confirms its resolution No 13 passed at the Ordinary meeting held on the 26th June and 11th July 1893.

Sd/ J. J. Leonard
President

'True Copy'

J. J. Leonard

PRESIDENT, MUNICIPAL COMMISSION,
BANGALORE CITY.

Mobile
2-

7 Letters No 137 & 329

4 June & 11 August 1896

from the President, Cble, Bn

C7-96-2 Comm^r, Bangalore re-

garding the resumption

of the land granted to

Khazi Hazar Hussain

Sheriff for building

Muhammadan Girls'

School

R 574.

3887
15/94

Order thereon

9/9/96

It has been ascertained,
~~from~~ on an
examination of Khazi
Hazar Hussain Sheriff
and from the original document produced by him
in this office that the site in the Jail
Mohalla was granted to
him in 1887 on the con-
ditions (1) that he should
submit a plan, (2) that the
building should be erec-
ted early & (2) that the site
should not be diverted

for any other purpose.
The Khaxe (who alleges that he ~~appears to have~~
filled up a pit that was
on the site) submitted
a plan in June 1890,
whereupon a licence
dy 26 June 1890 was
given him by the Vice
President, to complete
the building within 90
days. The Petr. could not
~~able to~~ do anything
to further the erection
as the whole site was
covered into the timber
& dealers, which the
local authorities ordered
to remove till
1893; but that he never-
theless built a small
structure in a corner
of the site, which is now
used utilized for plastering
the shoes, and the can.

Mr S Raghavachar

for storing wood

1 Khazan — the Petr. had to withdraw his appeal for the renewal of the licence

At any rate, a renewed licence has been granted on 3rd Feb 1893, which directed him to build within 90 days. But before the lapse of this interval (2) the attention of the President is drawn to the above facts & he is requested to report whether before resumption of the land these facts were considered by him or the Board

To
The President
Bangalore (1st Nov)

on the 11th April 1893, the petitioner had an order from the President forbidding construction till further intimation; and on 11 July 1893 1. grant was cancelled, and 2. sete presumed by the Board. It seems before that there was no material violation of any of the conditions on the part of the Petitioners

Rough draft submitted
After approval by Mr. Sec.
draft will be submitted 1st Jan.
DWJ 17

L96

To 1887

OFFICE OF THE
460
16. JUL. 1887
DEWAN OF MYSORE

From

The President
Municipal Commissioner
Bangalore City

L 57-96-3

To The Secretary to the
Government of Mysore
General and Rev. Departts.
Bangalore

Dated 14th July 1887.

Desd.

Enclosures Nos. 9 Vol

Nº 9

Submitting report called for the marks to be given to Khazi Nazar Hoosen Sheriff and stating that it is within the prohibited area no permission should be granted to build thereupon

1:3 Office of the City Municipality
No. 9 Bangalore City
Dated 14th July 1897.

From,

The President
Municipal Commission
Bangalore City

To,

The Secretary to the
Government of Mysore
General and Rev. Department
Bangalore

Sir,

With reference to Government Proceedings No. 3837 dated 14th September 1896 L. Fin. 115-V drawing the attention of the President to the fact, that Khazi Nazar Hussain Sheriff was granted a renewed license to

build on the site granted to him on 3rd February 1893, the time allowed being 90 days, that before the expiry of the said period of 90 days viz on 11th April 1893, he was directed to stop the construction, and on 11th July 1893, the grant was cancelled and the site was ordered to be resumed, and requesting to know whether these facts were considered by the President or the Board, I have the honor to submit the following report:-

There is abundant evidence to shew that the Khuzz did not fulfil any of the conditions under which the site was granted.

-to

terms and as such it was undoubtedly open to the Board to cancel the grant and resume the site. The Board however did not chose to strictly enforce the conditions and the President granted a renewed license on 3rd February 1893, evidently condoning all the past omission on the part of Khazr. The subsequent order to stop construction followed by another order cancelling the original grant and resuming the site was evidently the out-come of the Education Secretary's Letter No. 562/538 dated 31st March 1893 informing the Board that the Government grant [illegible]

been stopped as the management of the school by the Khazi had not been satisfactory and proposing to convert the institution into a Government school and requesting the Board to hand over the site granted to Nazar Hussen Shariff to the Education Department for the purpose of erecting a school. As far as I could make out there was nothing in the Khazi's own conduct towards the Municipality to warrant the cancelling of the grant and the resumption of the site.

I

17

I beg to submit that under Government Proceedings No. 8863-4 L.T. 430-92 dated 29th January 1896 the site is within the prohibited area and thus, apart from the merits of the case, permission should not now be granted to build thereupon.

I have the honor to be,

Sir,

Your most Obedient Servant.

D. N. Chokshi

Ag. PRESIDENT, MUNICIPAL COMMISSION,

BANGALORE, CITY.

Ref 57-96-H. 10

Read:—

Letter No. 98/14th July 97 from the Secretary of the Bangalore City Municipal Board, reporting, with reference to Govt. Proc. No. 3837 - L.F.115-96 dated 19th Sept. 96, that Khazi Nagar Hussain Sheriff was granted a site in Jole Pushalla for building a Mohamedan girls' School and the usual license to build thereon was issued on 3rd Feb. 93 on condition of completing the above within 90 days, but that on 11th April 93, or before the expiry of the period, the Khazi was directed to stop work and on 11th July, 93 the grant of the land was cancelled and the same resumed, that there was nothing in the Khazi's own conduct towards the Municipality to warrant the cancellation of grant and the Commissioner of the City within the limits of the site but that under Govt. Order No. 8863-4 - L.F.4302 dated 29th Jan. 97 the site within the Jole Pushalla area which has been reserved for public purposes under Govt. No. 8863-4 - L.F.4302 of 1896 permission to build there on should not be granted.

building
a renewed license in connection with a Mohamedan girls' School Pushalla been granted to Khazi Nagar Sheriff on 3rd Feb 93 there was nothing

as the site is within area reserved for public purposes under Govt. No. 8863-4 - L.F.4302 of 1896

RL 325

Order thereon No. 2084 - L.F.115-94 dated 7/8/97

It is observed that the facts stated in Govt. Order No. 3837 - L.F.115-94 dated 19th Sept. 96 and the admission now made by the Secretary in the letter read above in his letter dated 14th July 97 are a bar to

Clear

Where a certain site 29-7-97

certain site 30/7/97 Submitted please see serial no. 10 in file 30/7

clear that the cancellation of the 19
license granted on 3rd Feb.y 93 was
improper, if as now admitted,
"there was nothing in the Khazi's
own conduct towards the Municy
to warrant the cancellation
of the grant and the resumption
of the site."

2. If the site in question with
the building erected thereon, which
is in the Khazi's possession,
is within the prohibited area,
and is actually required for any
Public purpose, it can only be
acquired under the provisions
of the Land Acquisition Regn
or by private agreement with
the owner.

3. Govt regret to note that
the reply to the reference made
to the Presidt in this matter was
delayed for more than 9 months.

Notwithstanding repeated
reminders A

3/8/97
Secretary

Sir
The file does not contain
reminders. If any are
brought to notice the omission will be

2/8/97

Dng 2/8/97

To The Presidt of the Bangalore
City Municipality —

Mel 2/8/97